

<p>1 Gamble, the entire package. And when you  2 say the "entire package," the load  3 metering, the contract mechanism and all  4 that other stuff, yes.</p> <p>5 Q. Anyone else? Anybody else  6 you can think of?</p> <p>7 A. Not off the top of my head.</p> <p>8 Q. Let's go back to the  9 counterclaim. Let's go to Paragraph 90  10 on Page 9. Let's go to -- I'm sorry,  11 let's go to Page 32, Paragraph 207.  12 Page 207 -- I mean,  13 Paragraph 207 you allege -- I have a  14 count here for tortious interference with  15 prospective contractual relations. Other  16 than Bell Atlantic, tell me who you  17 actually had -- were in contract  18 negotiations with and lost the contract  19 because of the actions of NewEnergy?</p> <p>20 A. BG&amp;E.</p> <p>21 Q. Okay. Other than BG&amp;E, is  22 there anyone else?</p> <p>23 A. Not that I can remember  24 right off the top of my head, but BG&amp;E</p>	<p>Page 689</p> <p>1 Q. Do you have any facts to  2 tell me whether anyone at NewEnergy knew  3 about specific discussions with  4 prospective customers of yours at the  5 time?</p> <p>6 A. Only BG&amp;E.</p> <p>7 Q. Okay. Nobody else?</p> <p>8 A. That I could tell you with a  9 matter of fact.</p> <p>10 Q. And how about with existing,  11 is BG&amp;E the only existing one, it would  12 be both existing or prospective?</p> <p>13 A. I don't have any factual  14 statements that they went around to -- I  15 don't have anything factual.</p> <p>16 Q. I'm not asking you whether  17 they went around. I'm asking you --  18 factually they have any knowledge of the  19 identity of your prospective or existing  20 customers other than BG&amp;E and Bell  21 Atlantic?</p> <p>22 A. They would have a general  23 knowledge of who my customers are because  24 they're so limited in nature. Because</p>
<p>1 was the main one. That was our biggest  2 contract.</p> <p>3 Q. That was a contract. I'm  4 not talking about existing contracts, I'm  5 talking about prospective contracts.</p> <p>6 A. Oh, prospective contracts.  7 Well, there were several prospective  8 contracts, I believe, that were in the  9 pipeline at the time. And as soon as  10 this hit the -- hit the street, everybody  11 started talking about it.</p> <p>12 Q. Can you name me the names?</p> <p>13 A. No, I can't name them off  14 the top of my head. I'd have to look at  15 the sales pipeline chart, look at the  16 dates.</p> <p>17 Q. Did you have any -- when  18 you -- when you say "sales pipeline," did  19 you have just general discussions with  20 them?</p> <p>21 A. There might have been  22 general discussions with some, there  23 might have been proposals on the table  24 with others.</p>	<p>Page 690</p> <p>1 they would know who I already signed up  2 to the program from my -- from my press  3 releases, and they would know that  4 there's only three utilities in every  5 state -- or two.</p> <p>6 So, I mean, but I don't know  7 that they contacted those utilities in  8 order to say something. But they would  9 know who my prospective clients would be.</p> <p>10 Q. Well, do you have any --  11 other than assuming from what's your  12 press release out there, I'm talking --  13 had anybody at NewEnergy or anyone else  14 ever communicate to you about --  15 specifically about NewEnergy's knowledge  16 of who your prospective customers were?</p> <p>17 A. Not from the NewEnergy side.</p> <p>18 Q. Okay.</p> <p>19 MR. LANDAU: I need a  20 minute. Let's take a two-minute  21 break.</p> <p>22 - - -</p> <p>23 VIDEO TECHNICIAN: Off the  24 record at 4:56.</p>